

Law Offices of

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August 17, 2020

**VIA ECF**

Honorable Sandra J. Feuerstein  
100 Federal Plaza  
Central Islip, New York 11722

RE: **United States of America v. John Ambrosio, 17-522 (S-1)(SJF)**

Dear Your Honor:

On April 23, 2020 this matter was conferenced with the Court. At the conference, AMBROSIO withdrew his motion for compassionate release on a temporary basis with permission to advance this matter if AMBROSIO received a denial of his request from the BOP. Since that court conference, Mr. Ambrosio has received a denial from the warden at FDC. 18 USC 3582 (c)(1)(a) provides that the Court may not modify a term of imprisonment once it has been imposed except that,

(1) in any case,

(A) the court, upon motion of the Director of the Bureau of Prisons, or upon motion of the defendant after the defendant has fully exhausted all administrative rights to appeal a failure of the Bureau of Prisons to bring a motion on the defendant's behalf or the lapse of 30 days from the receipt of such a request by the warden of the defendant's facility, whichever is earlier, may reduce the term of imprisonment...

Mr. Ambrosio submitted a request pursuant to the CARES act on May 13, 2020. On June 18, 2020, Mr. Ambrosio received a denial of his request from the Warden at Fort Dix (FCI). Mr. Ambrosio immediately appealed to the Regional Director with no response. To date, Mr. Ambrosio has not received a response. On July 22, 2020, after the expiration of thirty days, Mr. Ambrosio appealed to the central office requesting a response. To date, Mr. Ambrosio has not received a response from the Central Office or the Regional Director. While there has yet to be a response from the Central Office or the Regional Director, thirty days have elapsed since the

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warden of the defendant's facility received a request for compassionate release under the CARES act.

Because we believe AMBROSIO has satisfied the statutory requirements, we are requesting that the Court decide the Defendant's motion for compassionate release filed on April 16, 2020, Document No. 338, with the Government's Opposition filed on April 20, 2020, Document No. 341, and AMBROSIO'S reply filed on April 22, 2020, Document No. 344.

Thank you for your time and consideration in this matter.

Very truly yours,

/S/

Michael J. Alber, Esq.

Attorney for John Ambrosio

Cc: ECF to all attorneys